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SECRETARY OF THE SENATE
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July 22, 2011

Bradley Matheson
Senior Campaign Finance Analyst
Reports Analysis Division
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: Michael Williams For US Senate Committee (Currently registered as Michael Williams For Congress Committee); 2010 July Quarterly Report

Dear Mr. Matheson,

This letter is submitted by the undersigned counsel on behalf of Michael Williams For US Senate Committee/ Michael Williams For Congress Committee (C00457960) in response to your Request For Additional Information (RFAI) dated June 17, 2011, regarding the Committee's 2010 July Quarterly Report.

The RFAI states, "Your committee reported receipt of contributions designated for the 2010 Primary and Runoff, elections that did not occur." You assert that "[w]ithin 60 days of the announcement on April 1, 2010 that this election would not be held, contributions designated for this election had to be refunded to the contributors or redesignated to another election," citing 11 CFR 110.1(b)(3) and Advisory Opinions 2009-15 and 1992-15.

We respectfully submit, based on our understanding of the appropriate regulatory provisions, the Committee has complied with the Commission's redesignation and refund requirements in conjunction with the Committee's 2010 Senate activity.

Michael Williams filed as a US Senate candidate on December 16, 2008 for the much anticipated and expected Special Election for the seat of Texas Senator Kay Bailey Hutchison, who publicly indicated that she would likely resign her Senate seat to run for Texas Governor in 2010. However, unlike other candidates seeking her seat, including the requestor in Advisory Opinion 2009-15, Mr. Williams filed only as a candidate for the expected 2010 Senate race.

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Others, including the requestor in Advisory Opinion 2009-15, filed instead as a candidate for the 2012 Senate election.

Mr. Williams' principle campaign committee solicited and raised funds solely for the 2010 election and did not solicit or raise any contributions for the 2012 election. During this period, Mr. Williams was never a candidate for election in 2012, and accordingly raised no funds for that election. As a result, his 2010 campaign committee began raising contributions that were either specifically designated for the 2010 primary or non-specifically designated for the "next upcoming election," consistent with Commission Regulations and Commission Advisory Opinions, and properly applied by the campaign to the anticipated 2010 primary.

The 2010 campaign also solicited and received designated contributions for a potential 2010 run-off election, since there were multiple candidates and under Texas law a candidate is required to win a majority of the vote (50% plus 1 and not simply a plurality) in order to win the primary nomination. Consistent with Commission Regulations and Advisory Opinions, these run-off funds remained segregated from the 2010 primary funds and were not spent.

The Committee also solicited and received contributions designated for the 2010 General Special Election, and segregated those funds in the same manner as the run-off contributions. During the time before the April 1, 2010 announcement, the Campaign Committee made expenditures in connection with the anticipated 2010 primary election using only the funds raised for, or properly applied to, the 2010 primary. No funds raised for the run-off or the General Special Election were spent.

When Senator Hutchison announced on April 1, 2010, that she would not resign, meaning there would be no 2010 Special Election, Mr. Williams filed a revised Statement of Candidacy indicating that he was now a candidate for the 2012 Senate election. All contributions received from this point on were designated for the Senate primary of 2012 and were reported as such.

As of April 1, 2010 \$43,566 remained in the 2010 Committee account, of which \$32,000 had been designated for the 2010 run-off or general special election. Of that latter total, \$23,200 was appropriately redesignated in writing by contributors for the 2012 election. An additional \$8,800 was refunded to donors. These transactions were reported on the Committee's July 2010 Quarterly Report. After these redesignations/refunds were made, a balance of \$11,566 remained in the 2010 primary account. However, on April 1, the Committee also had outstanding obligations in the amount of \$4,004 that had been incurred during the 2010 primary campaign. This 2010 primary debt was reported on Schedule D of the July 2010 Quarterly Report.

In addition, the campaign carried an outstanding loan from the candidate in the amount of \$100,000. This loan was incurred in connection with the 2010 primary election. Any funds

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remaining from the 2010 primary election may therefore be used to satisfy these outstanding obligations incurred in connection with that same election.

As of June 15, 2011, Michael Williams amended his Statement of Candidacy to reflect that he was no longer a candidate for the US Senate in 2012, but rather, is now a 2010 candidate for the US House of Representatives for the newly created 33rd Congressional District in Texas. Mr. Williams' principal campaign committee's Statement of Organization was amended accordingly, reflecting the committee's name change to "Michael Williams For Congress."

To summarize, as a candidate for US Senate for the 2010 Special Election in Texas, the 2010 Michael Williams For Senate Committee raised and spent funds consistent with Commission Regulations and Advisory Opinions. As a candidate for the 2012 Senate race, the Michael Williams for Senate Committee appropriately secured redesignations or refunded contributions remaining in the 2010 account as of the April 1, 2010 announcement. These redesignations and refunds were duly reported by the Committee on its July 2010 Quarterly Report.

The RFAI indicates that the Committee's response to this RFAI should be filed with the Senate Public Records Office. Because the Committee is now the principal campaign for a US House candidate, this response is being filed directly with the Federal Election Commission.

If you have any additional questions or need further clarification, please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Josefiak', with a stylized flourish at the end.

Thomas J. Josefiak

Michael Bayes

Counsel to Michael Williams For US
Senate/ Michael Williams For Congress

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